

REMARKS

Claims 22-30 and 32-40 remain pending in this application, with Claims 23, 33 and 39 being rejected. Claims 22, 24-30, 32, 34-38 and 40 have been allowed.

Claims 23, 33 and 39 have now been amended to further recite that no threaded bolts are used as fastening elements to attach the oil sump to the engine.

Claims 23, 33 and 39 remain rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Korff in view of Scheidler.

Applicants traverse this Section 103 rejection.

As the Examiner is aware, the present invention as defined by the rejected claims is directed in one aspect to a process for attaching an oil sump to an engine block of a combustion engine.

In this process (Claim 23), a seal is made by a curable silicone composition between a first sealing surface on the oil sump and a second sealing surface on the engine block. When cured, the silicone composition demonstrates adhesion sufficient to secure the oil sump to the engine block significantly without the use of threaded bolts as fastening elements to attach the oil sump to the engine.

As defined by independent Claim 33, the present invention is directed to a combustion engine comprising an engine block and an oil sump attached thereto. In this combustion engine, the oil sump is attached to the engine block with a curable composition -- a silicone composition -- whose adhesion when cured is sufficient to secure the oil sump to the engine block, without the use of threaded bolts as fastening elements to attach the oil sump to the engine.

And as defined by independent Claim 39, the present invention is directed to a flange connection within a combustion engine with two flange elements between which a seal is made from the cured product of a curable silicone composition. Significantly, in this combustion engine, threaded bolts are not used as fastening elements to attach the oil sump to the engine in making the flange connection.

Korff and Scheidler continue to be cited against these claims.

However, Applicants respectfully submit that the bases on which the rejections have been advanced are flawed.

Korff, asserts the Action, with respect to Claim 23 "shows surface on sump 2. A second surface on the block formed by 3 and 5 with the second surface over the block at 7.

Adhesive for is the only means of attachment between first surface(2) and second surface (3,5)."

Applicants submit that the Examiner has misconstrued the showing in Korff. In Figures 1 and 2, Korff seems to illustrate that an oil pan 2 is attached to an intermediate part 3 and 6 (in Figure 1) and 2 (in Figure 2) by way of a flexible adhesive. This pre-assembled structure is then attached to a crank case 1 through the use of the bolt 7. In contrast to the present invention in which bolts are not used to fasten for instance an oil sump to an engine block, Korff's figures would seem to require that. Also Korff requires the assembly of the intermediate part, which is then attached by way of

Thus, in contrast to the present invention, bolts are indeed used to attach the oil pan to the crank case in Korff, whereas in the present invention no such bolts are used.

The Action points to Scheidler as a secondary reference to supply that missing piece -- a silicone adhesive -- of the obviousness formula. However, no reason is given -- other than "to improve manufacturing efficiency" (Action, page 3) -- as to why the combination is proper.

Scheidler is directed to and claims a heating panel assembly, such as for a heater and/or cooker panel, to be adhesively connected to a surrounding frame and/or mounting.

Scheidler fails to disclose either a flange connection within a combustion engine or a flange connection sealed from the cured product of a curable silicone composition, which demonstrates adhesion of at least 0.5 N/mm^2 .

The divergent technologies of Korff -- automotive engine assembly -- and Scheidler -- home appliance assembly would not have made persons of ordinary skill in the art motivated to look in the other field of endeavor. Thus, such non-analogous fields of technology are not appropriately combined in this instance.

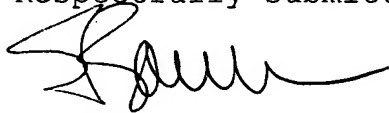
Accordingly, in view of these remarks, Applicants respectfully submit that the Section 103 rejection has been addressed, and they should no longer be maintained. Applicants further submit that the application is in condition for allowance, and respectfully request such an indication in the next written communication.

This paper represents an earnest attempt at advancing prosecution on the merits, and thus Applicants respectfully submit that entry thereof is proper.

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